

**SUMMARIZED MINUTES
SCOTTSDALE CITY COUNCIL
TUESDAY, JUNE 28, 2005**



**CITY HALL KIVA
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251**

CALL TO ORDER

Mayor Manross called to order a Regular Meeting of the Scottsdale City Council on Tuesday, June 28, 2005 in the Kiva, City Hall, at 5:09 P.M.

ROLL CALL

Present: Mayor Mary Manross
Vice Mayor Betty Drake
Council Members Wayne Ecton, W.J. "Jim" Lane,
Robert Littlefield, Ron McCullagh, and Kevin Osterman

Also Present: City Manager Jan Dolan
Deputy City Attorney Donna Bronski
City Clerk Carolyn Jagger

PLEDGE OF ALLEGIANCE - Councilman Lane

INVOCATION - None

PUBLIC COMMENT

J. J. Fletcher, J Bar J Ranch, Wickenburg, 85390, stated the Arizona Quarter Horse show brings people to WestWorld from all over the world and requested all planned improvements be completed.

Janet Bruner, 4207 E. Andrea Drive, Phoenix, 85331, representing Arizona Sun Country Circuit, expressed strong support for the planned equestrian uses for WestWorld, and stated equestrian events contribute over \$80M to the economy.

Craig Jackson, of Barrett-Jackson, 3020 N. Scottsdale Road, 85251, stated that the master plan for WestWorld needs to be updated, and encouraged the Council to make WestWorld a world-class facility.

NOTE IN ACCORDANCE WITH PROVISIONS OF THE ARIZONA REVISED STATUTES THE SUMMARIZED MINUTES OF CITY COUNCIL MEETINGS ARE NOT VERBATIM TRANSCRIPTS. ONLY THE ACTIONS TAKEN AND DISCUSSION APPEARING WITH QUOTATION MARKS ARE VERBATIM. DIGITAL RECORDINGS OF CITY COUNCIL MEETINGS ARE ON FILE IN THE CITY CLERK'S OFFICE.

MINUTES

SPECIAL MEETINGS
June 7, 2005

REGULAR MEETINGS
June 7, 2005

VICE MAYOR DRAKE MOVED FOR APPROVAL OF THE REGULAR AND SPECIAL MEETING MINUTES OF JUNE 7, 2005. COUNCILMAN ECTON SECONDED THE MOTION, WHICH CARRIED 7-0.

REGULAR AGENDA ITEMS 1-2

1. **Third and Final Public Hearing and 2005/2006 Budget Adoption**

Requests:

1. Solicit public testimony on the FY 2005/06 Operating Budget and Capital Improvement Plan.
2. Adopt Ordinance No. 3622, the Final Budget estimates for FY 2005/06. The City Council receives public input relative to the proposed FY 2005/06 Operating Budget and Capital Improvement Plan, and adopts the Final Budget estimates in accordance with Arizona State Statutes and the City Charter.

Staff Contacts: Craig Clifford, General Manager, 480-312-2364, cclifford@scottsdaleaz.gov; Art Rullo, Budget Director, (480) 312-2435, arullo@scottsdaleaz.gov

Financial Services General Manager Craig Clifford gave an overview of public hearings held in regard to the proposed budget and the changes that took place at the Council meetings of April 26 and May 17, 2005. In response to public comments, he reported that the budget for WestWorld is structured to provide maximum flexibility for improvements and consideration of a land purchase. This flexibility is premised upon a series of discussions with user groups and stakeholders that highlighted the need to reassess the master plan, timing, scope, and priority of those elements.

Mayor Manross opened public testimony.

Patty Rosky, 6843 E. Gary Road, 85254, stated she was opposed to the funding included in the proposed budget for lighting improvements to Mescal Park because it was not part of the original master plan developed in 1986.

Shelly Hook, 11228 N. 68th Place, 85254, likes Mescal Park just the way it is and opposes any changes.

Drew Alcazar, of Russo and Steele Collector Automobiles, 5230 S. 39th Street, Phoenix, 85040, former General Manager of Barrett-Jackson, said there were others anxious to use WestWorld for their events should Barrett-Jackson decide to leave.

Mayor Manross closed public testimony. Two additional comment cards were received from citizens not wishing to speak, but also opposed to any lighting at Mescal Park. Staff clarified that \$150,000 has been appropriated for improving Mescal Park, but any individual projects would come before the Council for approval before monies are spent.

MOTION AND VOTE – ITEM 1

COUNCILMAN LANE MOVED TO AMEND THE BUDGET TO REDUCE THE FY 2005/06 EMSD SPECIAL REVENUE FUND BUDGET TO \$40,000 AND TO ALLOW NO FURTHER EXPENDITURES WITHOUT SPECIFIC CITY COUNCIL APPROVAL. AMEND THE FY 2005/06 BUDGET ORDINANCE NUMBER 3622, SECTION 2, REPLACING THE LAST SENTENCE IN SECTION 2, WITH “THE CITY COUNCIL, MAY UPON REQUEST OF THE CITY MANAGER, TRANSFER ANY UNENCUMBERED APPROPRIATION BALANCE OR A PORTION THEREOF, FROM ONE OFFICE, DEPARTMENT OR AGENCY TO ANOTHER”. COUNCILMAN LITTLEFIELD SECONDED THE MOTION, WHICH CARRIED 7-0.

COUNCILMAN ECTON MOVED TO ACCEPT THE FY 2005/06 BUDGET AS AMENDED AND ADOPT ORDINANCE 3622. COUNCILMAN OSTERMAN SECONDED THE MOTION, WHICH CARRIED 7-0.

Councilman Lane explained his amendment was based on the non-approval of the tax levy for the EMSD, bringing it in line with the June 21, 2005 decision by Council regarding the downtown marketing plan, and to be consistent with language in Article 5, Section 11 of the City Charter, regarding appropriations.

Mr. Clifford noted that on July 6, 2005, an agenda item will correct and bring forward the full funding for the marketing plan as discussed on June 21, 2005: \$228,200 for the plan, minus the \$40,000 as amended above, resulting in \$188,200.

THE MOTION FOR THE AMENDMENT CARRIED 7-0.

THE MOTION AS AMENDED CARRIED 7-0.

2. Exclusive Ambulance Provider Request for Proposal Process (RFP)

Request: Review, comment and approve the RFP for emergency ambulance transportation services.

Related Policies, References:

- January 4, 2005 Work Study Session Information Report – City Ambulance Service Options
- April 19, 2005 Council Action Report – Consulting Services to Assist the City in an Open Competitive Process for Advanced Life Support Ambulance Transportation Services
- June 7, 2005 Council Action Report – Interim Ambulance Agreement

Staff Contact: Willie McDonald, Fire Chief, 480-312-1880,
wmcdonald@scottsdaleaz.gov

- Staff outlined the EMS System components including the open process, the RFP structure and objectives, evaluation criteria, composition of the evaluation panel, role of the fire department in the bid procedures, and timeline for the RFP process.

Cliff Frey, Assistant City Attorney, noted it was rare for an RFP to come before City Council for review prior to the formal opening of the competitive process. The RFP is presented in this manner because it was the desire of the City Council and of interest to the community. He

strongly recommended proceeding with the RFP without making any amendments at this time to ensure an open process and protect the interests of the City. If amendments are needed, they can be addressed at the time of the pre-bid conference scheduled for August 9, 2005. He clarified the definition of a proposer in the RFP and advised it includes the corporate parents or any related companies of the proposer.

Council and staff discussion:

- The Department of Health Services (DHS) has expressed concern regarding the amended EMS agreement. Staff is working with officials at DHS to address and correct those concerns. Any amendments to the interim EMS Agreement will be approved by the City Manager, as provided for in the contract.
- A letter was received from the Attorney General's office raising questions about some of the terms of the RFP. These questions will be addressed as part of the pre-bid conference and amendment processes to address Department of Health concerns.
- Staff clarified that any changes to the RFP will be provided to the Council as they occur.
- It was acknowledged that there are a wide variety of options for ambulance services across the Valley, as well as the country. Council members look forward to reviewing all options to determine which would be most beneficial to the City.

MOTION AND VOTE – ITEM 2

COUNCILMAN MCCULLAGH MOVED FOR APPROVAL OF OPTION 'A' FOR THE RFP PROCESS, SUBJECT TO THE QUALIFICATION THAT ANY SIGNIFICANT CHANGES TO THE DOCUMENT SHALL HAVE COUNCIL APPROVAL. COUNCILMAN OSTERMAN SECONDED THE MOTION, WHICH CARRIED 7-0.

CONSENT AGENDA ITEMS 3 - 21

3. 2005/2006 Adoption of Property Tax and Streetlight Levies Requests:

1. Adopt Ordinance No. 3623 setting the FY 2005/06 property tax levy and rate, and
 2. Adopt Ordinance No. 3624 setting the streetlight property tax levy by district.
- Adoption of the FY 2005/06 property tax levy and rate and streetlight district property tax levy by district in accordance with Arizona Revised Statutes and the City Charter.

Staff Contact(s): Craig Clifford, General Manager, 480-312-2364, cclifford@scottsdaleaz.gov; Art Rullo, Budget Director, 480-312-2435, arullo@scottsdaleaz.gov; Lisa Murphy, Accounting Director, 480-312-7009, lmurphy@scottsdaleaz.gov

4. Fire Department Transition Budget Transfer

Request: Approve a \$300,000 budget transfer from Fire Operating Budget to the Fire Capital Budget (Project No. E0502 - Fire Transition Costs).

Staff Contact(s): Willie McDonald, Fire Chief, 480-312-1802, wmcdonald@scottsdaleaz.gov; Craig Clifford, Chief Financial Officer, 480-312-2364, cclifford@scottsdaleaz.gov

5. Annual Financial Participation Agreement with Scottsdale Cultural Council

Request: Adopt Resolution No. 6692 authorizing Agreement No. 2005-110-COS, an annual financial participation agreement between the City of Scottsdale and the Scottsdale Cultural Council for FY 2005/06 in the amount of \$3,036,934. This action will authorize general fund budget support for the Scottsdale Cultural Council ("Cultural Council") for FY 2005/06 and allow the Cultural Council to continue to administer the City's arts and cultural programs according to the terms of the Management Services Agreement.

Staff Contact: John Little, Executive Director Downtown Group, 480-312-2539, jlittle@scottsdaleaz.gov

6. Intergovernmental Agreement Between City and Scottsdale School District to Provide Drug, Alcohol and Violence Prevention Services

Request: Adopt Resolution No. 6655 authorizing Intergovernmental Agreement No. 2005-041-COS, which will provide funding in the amount of \$253,978 for drug and alcohol prevention services, anti-violence education, and other student support services in all 33 Scottsdale schools, for fiscal year 2005/06.

Related Policies, References: City Council adopted Resolution No. 6487 on June 22, 2004, which authorized Intergovernmental Agreement No. 2004-040-COS in the amount of \$253,978 to fund alcohol and substance abuse prevention services in 33 Scottsdale Schools, including the School District's alternative school, for Fiscal Year 2004/05. The City has previously entered into Intergovernmental Agreements to provide these services for Fiscal Years 1999/00 through 2003/04.

Staff Contact(s): Debra Baird, Community Services General Manager, 480-312-2480, dbaird@scottsdaleaz.gov

7. Partnership Funding Program for Youth Sports Facilities

Request: Adopt the Community Services Department Partnership Funding Policy that allows the Parks and Recreation Commission to grant matching funds to non-profit youth sports organizations for capital improvements to youth sports facilities at schools and parks throughout the City.

Related Policies, References:

- Partnership Funding Policy
- Partnership Funding History

Staff Contact: Debra Baird, Community Services General Manager, 480-312-2480, dbaird@scottsdaleaz.gov

8. Lone Mountain Estates Abandonment

Requests:

1. Abandon 40 feet of right-of-way at Baker Drive and 79th Place within the Lone Mountain Estates Subdivision.
2. Adopt Resolution No. 6685 vacating and abandoning a public right-of-way.

Location: 7933 E Baker Dr

Reference: 1-AB-2005

Staff Contacts: Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

9. Lone Mountain Estates Replat

Request: Approve a replat for Lone Mountain Estates, consisting of eight residential lots on a 10-acre parcel.

Location: Baker Drive & 79th Place

Reference: 66-PP-1994

Staff Contacts: Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

10. 104th St. and Bell Final Plat

Request: Approve Final Plat of Phase I Plat A consisting of 96 lots on approximately 73 acres located within a Master Planned Community near Thompson Peak Parkway and Bell Road.

Location: East Bell Road and North 104th Street

Reference: 9-PP-2004#IA

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

11. Environmentally Sensitive Land Ordinance (ESLO) Hardship Exemption

Request: Approve an ESLO Hardship Exemption to allow a Preliminary Plat, which was submitted and reviewed by the City a year before ESLO 3 was approved. The exemption is to allow side yard walls to occur on the property lines as it was originally designed in a plan supported by the neighborhood associations. There will be no perimeter walls as all sides to the project have NAOS setbacks including a Scenic Corridor on Shea Boulevard

Location: Northeast corner of Shea Boulevard and 136th Street

Reference: 1-HE-2005

Staff Contacts: Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

12. Police Department Internal Affairs Management System

Request: Authorize Contract 2005-120-COS with CI Technologies, Inc. for the purchase of a Police Department Internal Affairs Management System for \$37,600. This will improve and enhance the tracking and management of employee performance (i.e., internal affairs complaints, investigations, collisions, pursuits, use of force, and commendations), and provide early warning by identifying performance problems. Early identification of performance trends will allow for more prompt intervention as appropriate.

Staff Contact: Alan Rodbell, Chief of Police, 480-312-5310, arodbell@scottsdaleaz.gov

13. Arsenic Removal Water Treatment Facility at 15230 N. 75th Street

Requests:

1. Authorize Construction Bid Award No. 05PB089 for the Arsenic Removal Water Treatment Facility at Site 7, located on 75th Street near the Scottsdale Airport to Currier Construction, Inc., the lowest responsive bidder, at their lump sum bid of \$7,098,888.

2. Authorize a transfer of \$596,630 from the Water Enterprise Fund to the Aviation Enterprise Fund to compensate the Airport for the use of the land for the Water Resources Department's Arsenic Removal Water Treatment Facility as required by the Federal Aviation Administration.
3. Authorize a transfer of funds from the Aviation Enterprise Fund to the Water Enterprise Fund for the costs of constructing an airport parking lot and related improvements included in the construction bid and currently estimated at \$202,272.

Related Policies, References:

- Council approved the Water Resources Master Plan on October 15, 2001.
- Council approved Engineering Services Contract No. 2002-139-COS with Narasimhan Consulting Services for conceptual design of arsenic treatment facilities and associated pipelines on November 18, 2002.
- Council approved Engineering Services Contract No. 2004-017-COS with CH2M Hill, Inc. for design of this arsenic treatment facility on March 16, 2004.
- Council authorized Construction Bid Award No. 05PB026 to Barnard Construction Company, Inc. for the construction of the West Leg Water Transmission Main associated with the Arsenic Mitigation Program on February 22, 2005.
- Council Adopted Resolution No. 6589 authorizing the acquisition of the 15230 North 75th Street L.L.C. property.

Staff Contact: Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@scottsdaleaz.gov

14. Scottsdale Center for Performing Arts Renovation

Request: Authorize Modification to Architectural Services Contract No. 2004-030A-COS with Douglas Architects & Planners for \$660,000 for the design of facility improvements to the Scottsdale Center for the Performing Arts.

Related Policies, References:

- Council approved Architectural Services Contract No. 2004-030-COS with Douglas Architecture & Planning for facility master planning and preparation of construction documents for facility improvements at SCA on May 4, 2004.
- Council awarded Construction Bid Award No. 05PB084 for Scottsdale Center for the Performing Arts Restroom Renovations to Ardavin Builders at their lump sum bid of \$491,000 on May 17, 2005.

Staff Contact: Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@scottsdaleaz.gov

15. Central Arizona Project Drinking Water Treatment Plant Expansion

Request: Authorize Engineering Services Contract No. 2005-111-COS with Malcolm Pirnie, Inc. in the amount of \$5,512,855 for the preparation of the engineering design for the expansion of the Central Arizona Project Water Treatment Plant.

Related Policies, References: Water Resources Master Plan, approved by City Council on October 15, 2001.

Staff Contacts: Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@scottsdaleaz.gov; Greg Crossman, Sr. Water Resources Engineer, 480-312-5319, gcrossman@scottsdaleaz.gov

16. Central Arizona Project Water Treatment Plant Regulatory Compliance Improvements

Request: Authorize Construction Bid Award 04PB052 to Archer Western Contractors in the amount of \$35,809,332 for construction of regulatory compliance improvements at the Central Arizona Project Water Treatment Plant.

Related Policies, References:

- Council approved the Water Resources Master Plan on October 15, 2001.
- Council approved Engineering Services Contract No. 2001-167-COS for conceptual site plan of CAP Treatment Plant expansion on November 26, 2001.
- Council approved Engineering Services Contract No. 2003-110-COS with Malcolm Pirnie, Inc. for the design of regulatory compliance improvements at the CAP WTP on July 1, 2003.

Staff Contact: Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@scottsdaleaz.gov

17. MAG Uniform Standard Specifications and Details for Public Works Construction Requests:

1. Adopt Resolution No. 6683 declaring the Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, 1998 (includes revisions through 2005) to be a public record; and
2. Adopt Resolution No. 6684 declaring the City of Scottsdale 2005 Supplement to MAG Uniform Standard Specifications and Details for Public Works Construction to be a public record; and
3. Adopt Ordinance No. 3626 adopting by reference the Uniform Standard Specifications and Details for Public Works Construction, 1998 (includes revisions through 2005), sponsored and distributed by the Maricopa Association of Governments; and the 2005 City of Scottsdale Supplement to MAG Uniform Standard Specifications and Details for Public Works Construction as part of the City Code.

Related Policies, References: Council first adopted Uniform Standard Specifications and Details for Public Works Construction sponsored and distributed by the Maricopa Association of Governments in 1979. Since then, Council has adopted annual updates to the MAG Specifications and Details, as well as the City of Scottsdale Supplement to the MAG Standard Specifications and Details.

Staff Contact: Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@scottsdaleaz.gov

18. Downtown Trolley Operation Expansion to Year-Round Service

Request: Authorize Contract Modification No. 04RP017-A with Atypical Transportation to expand the operation of the Scottsdale Trolley to year-round service. Request for Proposal No. 04RP017 describes the original agreement administratively awarded to Atypical Transportation. The estimated annual cost of this expansion is \$348,831.

Related Policies, References:

- Contract Modification No. 04RP017-A
- RFP No. 04RP017
- City Procurement Code

Staff Contact: Mary O'Connor, Transportation General Manager, 480-312-2334, moconnor@scottsdaleaz.gov

19. Intergovernmental Agreement (IGA) with Valley Metro for East Valley Dial-a-Ride Paratransit Service

Request: Adopt Resolution No. 6701 authorizing the acceptance of IGA Amendment No. 2005-125-COS, the annual amendment with Valley Metro for the provision of East Valley Dial-a-Ride paratransit services. City Council authorized an eight-year agreement (No. 2005-017-COS) in 2004 subject to annual re-authorization and expiring on June 30, 2012. Valley Metro provides Dial-a-Ride service in anticipation of acceptance of this amendment authorizing service for fiscal year 2005/06.

Related Policies, References:

- IGA Amendment No. 2005-125-COS
- IGA No.2005-017-COS
- City Procurement Code
- Code of Federal Regulations

Staff Contact: Mary O'Connor, Transportation General Manager, 480-312-2334, moconnor@scottsdaleaz.gov

20. Intergovernmental Agreement (IGA) with Valley Metro for Bus Service

Request: Adopt Resolution No. 6702 authorizing the acceptance of IGA Amendment No. 2005-126-COS, the annual amendment with Valley Metro for the provision of fixed route bus services. City Council authorized the five-year agreement (No. 2001-COS-146) in 2001, subject to annual re-authorization and expiring June 30, 2006. Valley Metro provides fixed route service in anticipation of acceptance of this amendment authorizing service for fiscal year 2005/06.

Related Policies, References:

- IGA Amendment No. 2005-126-COS
- IGA No. 2001-COS-146
- City Procurement Code

Staff Contact: Mary O'Connor, Transportation General Manager, 480-312-2334, moconnor@scottsdaleaz.gov

21. Intergovernmental Agreement (IGA) with City of Phoenix for Bus Service

Request: Adopt Resolution No. 6703 authorizing the acceptance of IGA Contract Change Order No. 2005-127-COS, the annual amendment with the City of Phoenix for the provision of fixed route bus services. City Council authorized the five-year agreement (No. 2004-163-COS) in 2004, subject to annual re-authorization and expiring June 30, 2009. The City of Phoenix provides fixed route service in anticipation of acceptance of this contract change order authorizing service for fiscal year 2005/06.

Related Policies, References:

- IGA Amendment No. 2005-127-COS
- IGA No. 2004-163-COS
- City Procurement Code

Staff Contact: Mary O'Connor, Transportation General Manager, 480-312-2334, moconnor@scottsdaleaz.gov

MOTION AND VOTE – CONSENT AGENDA

COUNCILMAN LANE MOVED FOR APPROVAL OF CONSENT AGENDA ITEMS 3-21.
COUNCILMAN LITTLEFIELD SECONDED THE MOTION, WHICH CARRIED 7-0.

PUBLIC COMMENT - None

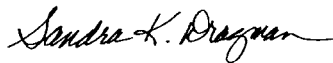
CITY MANAGER'S REPORT - None

MAYOR AND COUNCIL ITEMS - None

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 6:17 P.M.

SUBMITTED BY:



Sandy Dragman
Recording Secretary

REVIEWED BY:



Carolyn Jagger
City Clerk

Officially approved by the City Council on

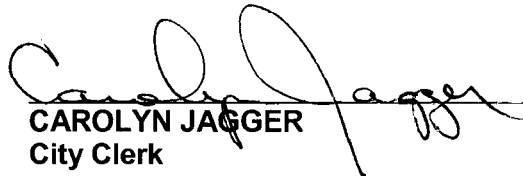
August 29, 2005

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the City Council of Scottsdale, Arizona held on the 28th day of June 2005.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 29th day of August 2005.


CAROLYN JAGGER
City Clerk